

There is one letter after another coming to our office in various ways every day. I could stand here and read them for a long time, but if I read the clock correctly, I think my time is out and we are ready to move on to other business.

NOMINATIONS

Mr. LEAHY. Mr. President, the last two days, we have spent unnecessary floor time overcoming procedural obstacles so that we can vote to confirm the five judicial nominations before us today. Every single one of the nominees that we will vote on today has bipartisan support and will be confirmed by significant margins. Judge Carolyn McHugh was nominated last May, while all four nominees to the Eastern District of Michigan were nominated last July. All of these nominees could and should have been confirmed before we adjourned last year. Instead, because Republicans refused to consent to hold these nominations in the Senate, and every single one had to be returned to the President at the end of last year. They then had to be re-nominated and re-processed through Committee this year and were all reported out with bipartisan support on January 16, 2014.

We have not had a vote on a judicial nomination this year that was not subjected to a Republican filibuster. I appreciate very much the two Republican senators, Senator COLLINS and Senator MURKOWSKI, who have voted each time to end the filibuster of judicial nominees. For other Republican senators, however, I have started to notice a pattern of voting to end filibusters only if a nominee is from a state with at least one Republican home state Senator. Most recently this happened earlier this week on the cloture vote for Judge McHugh with nine Republicans voting to end the filibuster. It should not require a judicial nominee to be from a state with one or more Republican home state senators for some senators to do the right thing. Filling vacancies so that our Federal judiciary can be fully functioning should not be a partisan issue.

Today, we will finally vote to confirm the following nominees:

Judge Carolyn McHugh has been nominated to fill a vacancy in the Tenth Circuit Court of Appeals. She has served since 2005 as a judge on the Utah Court of Appeals and as the Presiding Judge of that court since 2012. She previously worked in private practice at Parr Brown Gee & Loveless as an Associate, 1983–1987, and subsequently as a Shareholder, 1987–2005. She has served as an Adjunct Professor at the University of Utah Law School and at the University of Utah College of Social and Behavioral Science. Judge McHugh earned her J.D., Order of the Coif, from the University of Utah Law School in 1982. After law school, she clerked for Judge Bruce S. Jenkins of the United States District

Court for the District of Utah. The ABA Standing Committee on the Federal Judiciary unanimously rated Judge McHugh “Well Qualified” to serve on the U.S. Circuit Court of Appeals for the 10th Circuit, its highest rating. She has the support of her home state senators, Senator HATCH and Senator LEE.

Matthew Leitman is nominated to fill a judicial emergency vacancy in the Eastern District of Michigan. He has worked in private practice for almost 20 years, including as senior principal, 2005–present, and senior counsel, 2004, at Miller, Canfield, Paddock, and Stone, P.L.C., and as Partner, 2000–2004, and Associate, 1994–1999, at Miro, Weiner, & Kramer, P.C. He earned his J.D., magna cum laude, from Harvard Law School in 1993. Following his graduation from law school, he served as a law clerk to Justice Charles L. Levin of the Michigan Supreme Court. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Leitman “Well Qualified” to serve on the U.S. District Court for the Eastern District of Michigan, its highest rating.

Judith Levy is nominated to fill a judicial emergency vacancy in the Eastern District of Michigan. She has served since 2000 as an Assistant U.S. Attorney in the Eastern District of Michigan, where she has served as the Chief of the Civil Rights Unit since 2010. She has also worked as an Adjunct Professor of Law at the University of Michigan Law School, 2005–present, and as a trial attorney for the United States Equal Employment Opportunity Commission, 1999–2000. She earned her J.D., cum laude, from Michigan Law School in 1996. Following her graduation from law school, she served as a law clerk to Judge Bernard Friedman of the U.S. District Court for the Eastern District of Michigan, 1996–1999.

Judge Laurie Michelson is nominated to fill a vacancy in the Eastern District of Michigan. She has served since 2011 as a U.S. Magistrate Judge in the Eastern District of Michigan. Prior to her judicial service, she worked in private practice for 18 years at Butzel Long as an associate, 1993–2000, and subsequently as a shareholder, 2000–2011. She has also served for 3 years as an Adjunct Professor at Oakland University, 2003–2006. She earned her J.D. from Northwestern University Law School in 1992. Following her graduation from law school, she served as a law clerk to Judge Cornelia G. Kennedy of the U.S. Court of Appeals for the Sixth Circuit. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Leitman “Well Qualified” to serve on the U.S. District Court for the Eastern District of Michigan, its highest rating.

Judge Linda Parker is nominated to fill a vacancy in the Eastern District of Michigan. She has served since 2009 as a circuit court judge on the Third Judicial Circuit of Michigan. Prior to her judicial service, she worked as director

of the Michigan Department of Civil Rights, 2003–2008, as Director of Development at the Detroit Institute of Arts, 2000–2003, as Executive Assistant United States Attorney in the U.S. Attorney’s Office in the Eastern District of Michigan, 1994–2000, in private practice at Dickinson Wright as associate attorney, 1989–1992, and partner from (1992–1994), and as a staff attorney to the United States Environmental Protection Agency, 1985–1989. She earned her J.D. from George Washington University Law School in 1983. Following graduation from law school, she served as a law clerk to Judge William S. Thompson of the District of Columbia Superior Court, 1983–1985.

All four of the district court nominees have the support of their home state senators—Senator LEVIN and Senator STABENOW. I hope my fellow senators will join me today to confirm these nominees so that they can begin working on behalf of the American people.

Mr. LEVIN. Mr. President, consideration of judicial nominees is among the most important duties of the Senate. I am pleased that four, well-qualified nominees to the U.S. District Court for the Eastern District of Michigan will now be before the Senate, and I urge my colleagues to confirm them. Each of them has demonstrated a commitment to impartial justice and a thorough knowledge of the law. Each was recommended by an independent screening committee that Senator STABENOW and I have formed. It is broadly based and chaired by one of Michigan’s truly outstanding lawyers, Eugene Driker.

Each of the nominees has a distinguished background. Matthew Leitman served as a clerk to Justice Charles Levin on the Michigan Supreme Court and has extensive experience in private practice, focusing on complex commercial litigation, criminal defense, and appellate litigation. He has argued before State and Federal trial courts, as well as numerous appeals before State and Federal appellate courts, and has written a number of influential journal articles on important aspects of State and Federal law such as immigration and fraud enforcement. He has on many occasions been recognized by his peers as one of the most effective and knowledgeable litigators in our State.

He is also dedicated to public service. He has been a pro bono honoree for the Eastern District of Michigan every year since 2008.

Judith Ellen Levy worked in private practice and as a trial attorney for the U.S. Equal Employment Opportunity Commission in Detroit. She has conducted research and taught classes and seminars at the University of Michigan. Since 2000, she has served as an assistant U.S. attorney and Civil Rights Unit chief in the U.S. Attorney’s Office in Detroit. There, she is responsible for investigating and litigating civil rights cases on behalf of the United States, including fair housing, fair lending,

disability access, and police misconduct cases, and for handling citizen civil rights complaints addressed to the office and conducting outreach regarding a variety of office programs.

Ms. Levy has also received numerous awards for her dedication to community service, including several Department of Justice Civil Rights Division Certificates of Commendation and an award from the University of Michigan Council for Disability Concerns.

Judge Laurie J. Michelson served as law clerk to the Honorable Cornelia G. Kennedy of the U.S. Court of Appeals, Sixth Circuit and then for nearly 18 years worked in private practice in the areas of white-collar criminal defense and media and intellectual property law. She was sworn in as a magistrate judge for the Eastern District of Michigan in February 2011.

In private practice and as a magistrate judge, Judge Michelson has ably navigated some of the most complex areas of Federal law but has never lost sight of the fact that the law has a human impact.

Judge Linda Vivienne Parker served as the director of the Michigan Department of Civil Rights from 2003 to 2008. She also worked in private practice and served as the first executive assistant U.S. attorney for the Eastern District of Michigan under U.S. attorney Saul A. Green from 1994 to 2000. In 2008, she was appointed to the Third Judicial Circuit Court in Wayne County. In addition to her criminal docket, Judge Parker serves as a judge in the Adult Drug Treatment Court.

Judge Parker has dedicated her legal career to public service and has committed a great deal of time to serving and advocating for homeless families and teenage mothers. She served as the Chair of New Steps, an organization committed to providing services for economically disadvantaged new mothers in substance abuse recovery.

Each of these nominees knows the law and is ready to bear the responsibilities of a Federal judge. I urge my colleagues to confirm their nominations so they can begin serving the people of the Eastern District of Michigan.

I would yield the floor.

CONCLUSION OF MORNING BUSINESS

THE PRESIDING OFFICER (Ms. HEITKAMP). Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF CAROLYN B. McHUGH TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Carolyn B. McHugh, of Utah,

to be United States Circuit Judge for the Tenth Circuit.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the McHugh nomination.

All time has expired.

The question is, Will the Senate advise and consent to the nomination of Carolyn B. McHugh, of Utah, to be United States Circuit Judge for the Tenth Circuit?

Mr. FLAKE. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 67 Ex.]

YEAS—98

Alexander	Franken	Moran
Ayotte	Gillibrand	Murkowski
Baldwin	Graham	Murphy
Barrasso	Grassley	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Paul
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Booker	Heitkamp	Reed
Boozman	Heller	Reid
Boxer	Hirono	Risch
Brown	Hoeben	Roberts
Burr	Inhofe	Sanders
Cantwell	Isakson	Schatz
Cardin	Johanns	Schumer
Carper	Johnson (SD)	Scott
Casey	Johnson (WI)	Sessions
Chambliss	Kaine	Shaheen
Coats	King	Shelby
Coburn	Kirk	Stabenow
Cochran	Klobuchar	Tester
Collins	Landrieu	Thune
Coons	Leahy	Toomey
Corker	Lee	Udall (CO)
Cornyn	Levin	Udall (NM)
Crapo	Manchin	Vitter
Cruz	Markey	Walsh
Donnelly	McCain	Warner
Durbin	McCaskill	Whitehouse
Enzi	McConnell	Wicker
Feinstein	Menendez	Wyden
Fischer	Merkley	
Flake	Mikulski	

NOT VOTING—2

Rockefeller Rubio

The nomination was confirmed.

NOMINATION OF MATTHEW FREDERICK LEITMAN TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

The PRESIDING OFFICER. Under the previous order, the clerk will report the nomination.

The assistant legislative clerk read the nomination of Matthew Frederick Leitman, of Michigan, to be United States District Judge for the Eastern District of Michigan.

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to the vote on the nomination.

Mr. REID. Madam President, I yield back the remaining time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Matthew Frederick Leitman, of Michigan, to be United States District Judge for the Eastern District of Michigan?

Mr. CHAMBLISS. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 68 Ex.]

YEAS—98

Alexander	Franken	Moran
Ayotte	Gillibrand	Murkowski
Baldwin	Graham	Murphy
Barrasso	Grassley	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Paul
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Booker	Heitkamp	Reed
Boozman	Heller	Reid
Boxer	Hirono	Risch
Brown	Hoeben	Roberts
Burr	Inhofe	Sanders
Cantwell	Isakson	Schatz
Cardin	Johanns	Schumer
Carper	Johnson (SD)	Scott
Casey	Johnson (WI)	Sessions
Chambliss	Kaine	Shaheen
Coats	King	Shelby
Coburn	Kirk	Stabenow
Cochran	Klobuchar	Tester
Collins	Landrieu	Thune
Coons	Leahy	Toomey
Corker	Lee	Udall (CO)
Cornyn	Levin	Udall (NM)
Crapo	Manchin	Vitter
Cruz	Markey	Walsh
Donnelly	McCain	Warner
Durbin	McCaskill	Whitehouse
Enzi	McConnell	Wicker
Feinstein	Menendez	Wyden
Fischer	Merkley	
Flake	Mikulski	

NOT VOTING—2

Rockefeller Rubio

The nomination was confirmed.

NOMINATION OF JUDITH ELLEN LEVY TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

The PRESIDING OFFICER. Under the previous order, the clerk will report the Levy nomination.

The legislative clerk read the nomination of Judith Ellen Levy, of Michigan, to be United States District Judge for the Eastern District of Michigan.